

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER EASTERLING,

1:05-CV-00395 REC DLB P

Plaintiff,

vs.

SHERIFF R. PIERCE, et al.,

ORDER TO SUBMIT NEW  
APPLICATION TO PROCEED  
IN FORMA PAUPERIS **OR**  
PAY FILING FEE

Defendants.

\_\_\_\_\_/

Plaintiff, a former prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. On March 25, 2005, the court issued an order severing plaintiff's case from 1:04-cv-6369 REC DLB P, and directed plaintiff to file an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. On May 6, 2005, plaintiff filed a notice of change of address, indicating that he was released from custody. Due to his release, the court requires that plaintiff file a new application to proceed in forma pauperis **by a non-prisoner**. Plaintiff will be provided the opportunity to submit a new application to proceed in forma pauperis by a non-prisoner, **or** pay the \$150.00 filing fee.

Accordingly, IT IS HEREBY ORDERED that:

1           1.       The Clerk's Office shall send to plaintiff the form for application to  
2 proceed in forma pauperis **for a non-prisoner**;

3           2.       Within thirty days of the date of service of this order, plaintiff shall submit  
4 a completed application to proceed in forma pauperis **for a non-prisoner**, or in the alternative,  
5 pay the \$150.00 filing fee for this action. Failure to comply with this order will result in a  
6 recommendation that this action be dismissed.

7  
8 IT IS SO ORDERED.

9 **Dated: May 12, 2005**  
10 3c0hj8

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE